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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/061,441 04/16/98 WILZ

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EXAMINER

LEGREE, T

ART UNIT

PAPER NUMBER

2681

10

DATE MAILED:

01/17/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/061,441

Applicant(s)

WILZ

Examiner

Tracy M. Legree

Group Art Unit

2681



☒ Responsive to communication(s) filed on Sep 28, 2000

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) 5-8, 13-16, and 18-20 is/are pending in the applicat

Of the above, claim(s) _____ is/are withdrawn from consideration

☒ Claim(s) 18-20 is/are allowed.

☒ Claim(s) 5-8 and 13-16 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

2. Claims 5 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Saur et al. (hereafter Saur), EP 0 653 851 A3..

Regarding claim 5, Saur discloses a communications transceiver comprising a first antenna connected to a first amplifier; a second antenna connected to a second amplifier, an intermediate frequency stage, a selector being connected between the first and second amplifiers and said intermediate frequency stage for selecting operation of the communications transceiver between said first and second antennas, wherein said second amplifier is an output amplifier for amplifying signals transmitted by said second antenna and further comprising a third amplifier connected to said second antenna and said selector, said third amplifier for amplifying signals received by the second antenna. (See Fig. 1 & 2 and accompanying text)

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Regarding claim 6, Saur discloses the communications transceiver as claimed in claim 5. Saur further comprising a second selector connected between the second antenna and said second and third amplifiers for selecting connection of the second antenna between second and third amplifiers. (See Fig. 1 and accompanying text)

Regarding claim 13,

3. Claims 7 and 8 are rejected under 35 U.S.C. 102(e) as being anticipated by Wang et al. (hereafter Wang), U.S. Patent No. 5,878,332.

Regarding claims 7 and 8, Wang discloses a communications transceiver, comprising a first antenna connected to a first amplifier, a second antenna connected to a second amplifier, an intermediate frequency stage, a selector being connected between said first and second amplifiers and said intermediate frequency stage for selecting operation of the communications transceiver between the first and second antennas and further comprising a low pass filter disposed between the selector and the intermediate frequency stage. (Figure 3; col. 2, lines 41-62)

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Saur as applied to claim 5 above, and further in view of Yu-Hong, U.S. Patent No. 6,118,984.

Regarding claim 13, Saur discloses the limitations of claim 6. Saur, however fails to disclose the communications transceiver further comprising a filter disposed between the second antenna and the second selector.

Yu-Hong discloses a communication transceiver comprising a selector disposed between an antenna and two disparate amplifiers. Yu-Hong further discloses a filter disposed between the antenna and the selector. (Figure 2 and 3; col. 2, lines 16-23; col. 4, lines 20-24)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Saur to include a filter disposed between the second antenna and the second selector as shown by Yu-Hong for the purpose of filtering out noise prior amplification of the signal.

6. Claims 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wang in view of Huah et al. (hereafter Huah), U.S. Patent No. 5,666,355.

Regarding claims 14-15, Wang discloses a communications transceiver, comprising a first antenna connected to a first amplifier, a second antenna connected to a second amplifier, an intermediate frequency stage, a selector being connected between said first and second amplifiers and said intermediate frequency stage for selecting operation of the communications transceiver

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between the first and second antennas and further comprising a low pass filter disposed between the selector and the intermediate frequency stage. (Figure 3; col. 2, lines 41-62)

Wang fails to disclose an enable control for selectively activating said first amplifier or said second amplifier.

Huah discloses a subscriber unit of a radiotelephone system wherein an enable control signal is applied to a supply to actuate it for changing the bias current applied to an amplifier. (Figure 4; col. 13, line 55-col. 14, line 14)

It would have been obvious to one of ordinary skill in the art to modify Wang to include an enable control for selectively activating the first or second amplifier as described in Huah for the purpose of reducing power consumption of the amplifier.

7. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Saur as applied to claim 5 above, and further in view of Huah.

Regarding claim 16, Saur discloses all the limitations of claim 5 above. Saur however fails to disclose an enable control for selectively activating said first amplifier or said second amplifier.

Huah discloses a subscriber unit of a radiotelephone system wherein an enable control signal is applied to a supply to actuate it for changing the bias current applied to an amplifier. (Figure 4; col. 13, line 55-col. 14, line 14)

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It would have been obvious to one of ordinary skill in the art to modify Saur to include an enable control for selectively activating the first or second amplifier as described in Huah for the purpose of reducing power consumption of the amplifier.

Allowable Subject Matter

8. Claims 18-20 are allowed over the prior art of record.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Dean et al., U.S. Patent No. 5,881,369 discloses a transceiver having a common IF digital processor.

Oto, U.S. Patent No. 5,437,051 discloses a transceiver having a selector disposed between the two amplifiers and an IF filter.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tracy M. Legree whose telephone number is (703) 305-3859. The examiner can normally be reached on Monday-Thursday from 7:30 am to 5:00 pm. The examiner can also be reached on alternate Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dwayne Bost, can be reached on (703) 305-4778.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:


(703)308-9051, (for formal communication intended for entry)

Or:

(703)305-9508, (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive
Arlington, VA., Sixth Floor (Receptionist).

TML
January 14, 2001


TRACY DEGREE
PATENT EXAMINER